

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SHAWN JOSEPH,

Plaintiff/Counterclaim Defendant,

V.

**GENESIS COIN, INC.; GENESIS,
SERVICES INC.; AQUARIUS
MANAGEMENT CORP.; AND EVAN
ROSE.**

Defendants/Counterclaim Plaintiff.

A decorative horizontal separator consisting of a series of repeating stylized scroll or knot motifs.

Civil Action No.

1:22-cv-00615-JRN

**DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND
TO MOTION TO REMAND TO STATE COURT, OR IN THE ALTERNATIVE, TO
TAKE EXPEDITED JURISDICTIONAL DISCOVERY**

Defendants Genesis Coin, Inc., (“Genesis Coin”), Genesis Services, Inc. (“Genesis Services”); Aquarius Management Corp. (“Aquarius”) and Evan Rose (“Rose”) (collectively “Defendants”), by and through their undersigned counsel, submit this Unopposed Motion for Extension of Time to Respond to Motion to Remand, or in the Alternative, to Take Expedited Jurisdictional Discovery (“Motion to Remand”).

I. BACKGROUND

On May 19, 2022, Plaintiff Shawn Joseph filed an Original Petition in state court alleging various purported causes of action against Defendants arising from his prior employment with Genesis Coin styled as: (1) “retaliation” (2) “breach of contract”; (3) “breach of the implied covenant of good faith & fair dealing”; (4) “fraudulent inducement;” (5) “string-along fraud”; and (6) “unjust enrichment.” The case was removed to this court on June 23, 2022. [Doc. 1]. On July

25, 2022, Plaintiff filed the Motion to Remand. [Doc. 23]. Defendants oppose this Motion to Remand. The case was reassigned to Your Honor on July 27, 2022. [Doc 24].

United States District Court, Western District of Texas Local Rule CV-7 provides that the response time for “discovery or case management motions is no later than 7 days after the filing of the motion, and for all other motions the response time is 14 days after the filing of the motion.” Plaintiff takes the position the Motion to Remand is a “discovery or case management motion.” Defendants disagree. Plaintiff does not, however, oppose allowing Defendants a total of 14 days to respond to the entire Motion to Remand, making their response due on August 8, 2022, provided Defendants’ brief not exceed ten pages. Plaintiff would then have until August 15, 2022 to file his reply.

II. REQUEST FOR EXTENSION

For the foregoing reasons, Defendants request this Court enter the attached proposed order extending Defendants’ time to respond to Plaintiff’s Motion to Remand until August 8, 2022. This is the first request for an extension of time by Defendants. This extension is not sought for the purposes of delay, but so that Defendants have adequate time to prepare a response to this important Motion to Remand. This motion is unopposed.

III. CONCLUSION AND PRAYER

Defendants respectfully request that the Court extend the time to respond to Plaintiff’s Motion to Remand until August 8, 2022 and for such other and further relief, in law or in equity, to which Defendants may be justly entitled.

Dated: July 29, 2022.

Respectfully submitted,

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Counsel for Defendants/ Counterclaimants

CERTIFICATE OF CONFERENCE

This is to certify that undersigned counsel, Brianne McClafferty, communicated with Plaintiff's counsel Will Odom on July 28, 2022, and Plaintiff does not oppose this motion.

/s/ Brianne McClafferty
Brianne McClafferty

CERTIFICATE OF SERVICE

This is to certify that on the 29th day of July 2022, a true and correct copy of the foregoing document has been electronically forwarded to the following:

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